

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

DR. REDDY'S LABORATORIES, LTD. and
DR. REDDY'S LABORATORIES, INC.,

Plaintiffs,

v.

ASTRAZENECA AB; AKTIEBOLAGET
HÄSLE; ASTRAZENECA LP; and MERCK
& CO., INC.

Defendants.

Civil Action No. 3:08-cv-02496-JAP-TJB

RECEIVED

~~PROPOSED~~ ORDER

FEB 24 2009
AT 8:30
WILLIAM WALSH
CLERK

This matter having been opened to the Court before Hon. Joel A. Pisano, U.S.D.J. on the application of plaintiffs for reconsideration and vacating of the Court's Order of August 28, 2008 (Doc. No. 15) dismissing Counts III, IV, and V of the Complaint and staying the case, and the Court having considered the submissions of the parties, including oral arguments on December 17, 2008, and for reasons set forth on the record on January 16, 2009 and on February 20, 2009, for and good cause appearing,

It is on this 24th day of February, 2009,

ORDERED that plaintiffs' application for reconsideration of the dismissal of Counts III, IV, and V of plaintiffs' Complaint (Doc. No. 16) is hereby granted, and upon reconsideration, this Court's Order of August 28, 2008 is hereby vacated and defendants' motion to dismiss (Doc. No. 6) is denied; and it is further

ORDERED that defendants in this case shall have access to plaintiffs' documents produced in *AstraZeneca et al. v. Dr. Reddy's Laboratories et al.*, Civil Action No. 08-0328 as of

the date of this Order, granting access to the documents to all persons who are Qualified Persons pursuant to the Protective Order in Civil Action No. 08-0328 as if that protective order was entered in this action; and it is further

ORDERED that defendants answer the Complaint on or before February 27, 2009; and it is further

ORDERED that plaintiffs serve contentions in the form described in the Local Patent Rule 3.6(b)-(e) no later than March 2, 2009, and defendants serve contentions in the form described in Local Patent Rule 3.6(f) no later than 45 days after the latter of plaintiffs' service of the contentions as set forth above or Ivax Pharmaceuticals, Inc.'s service of same in the 08-2165 action; and it is further

ORDERED that the Court will hold a case management conference on May 18, 2009 at 10:00 a.m. and, pending such conference, there shall be no further proceedings in this case except as set forth in this Order.

So Ordered,

A handwritten signature in black ink, appearing to read 'JP/15', is written over a horizontal line.

Honorable Joel A. Pisano